

REMARKS

This communication is responsive to Office Action of June 17, 2004 in which the following objections were raised: [1-2] Claim 1 was rejected under 35 U.S.C. 102(e) as being anticipated by Milliron et al. (US Patent 6,208,670).

Applicant has Amended Claim 1 and added Claims 2-6.

AMENDMENTS TO THE SPECIFICATION

In the specification Applicant has amended the Title to conform with the Summary of Invention. Applicant has amended paragraphs at: page 2, line 13; page 3, line 29; page 3, line 31; page 4, line 21; page 5 line 13; page 5, line 28; and page 7, line 18 to correct minor editorial problems.

AMENDMENTS TO THE DRAWINGS

In amended FIGS. 1 and 2 the lack of uniqueness of the subscriber line's reference number has been corrected.

1-2. CLAIM 1 REJECTED UNDER 35 U.S.C. 102(e):

Claim 1 was rejected under 35 U.S.C. 102(e) as being anticipated by Milliron et al. (US Patent 6,208,670).

In the Office Action of 6/17/2004 the Examiner stated that "...Milliron ...discloses a system for providing multiple ...TDM...channels over a shared X-DSL communication medium..." (Office Action of 6/17/2004 at page 2) and the Applicant concurs with that characterization.

The Milliron reference does not however disclose or teach a system for providing packet based communication channels together with TDM communication channels on an X-

DSL communication medium, which is one of the limitations of the Applicant's amended Independent Claim 1, as follows:

“input buffers configured to accept input of both the TDM communications channels together with the packet based communications channels;

a payload framer coupled to the input buffers and the payload framer loading corresponding portions of TDM communications channels into each X-DSL frame, together with corresponding portions of the packet based communications channels into a remaining portion of each X-DSL frame...” (Amended Claim 1, Emphasis Added)

The Applicant therefore respectfully suggests, that Claim 1 as amended, includes a payload framer limitation not disclosed in the Milliron reference, and therefore not anticipated by same. Applicant thus believes that Claim 1 has been placed in a condition for allowance.

NEW CLAIMS 2-6

New Claims 2-6 have been added. They are fully supported by the Specification and do not introduce new subject matter.

CONCLUSION

In view of the above remarks, and the amendments to the Claims, Applicant believes that all remaining Claims 1-6 have been placed in a condition for allowance, and requests that they be allowed. Early notice to this effect is solicited.

The Commissioner is authorized to charge any additional fees which may be required, including petition fees and extension of time fees, to Deposit Account No. 50-1338 (Docket No. **VELCP005C**).

Respectfully submitted,

IP CREATORS



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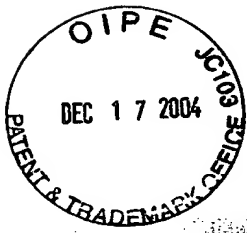
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AMENDMENTS TO THE DRAWINGS:

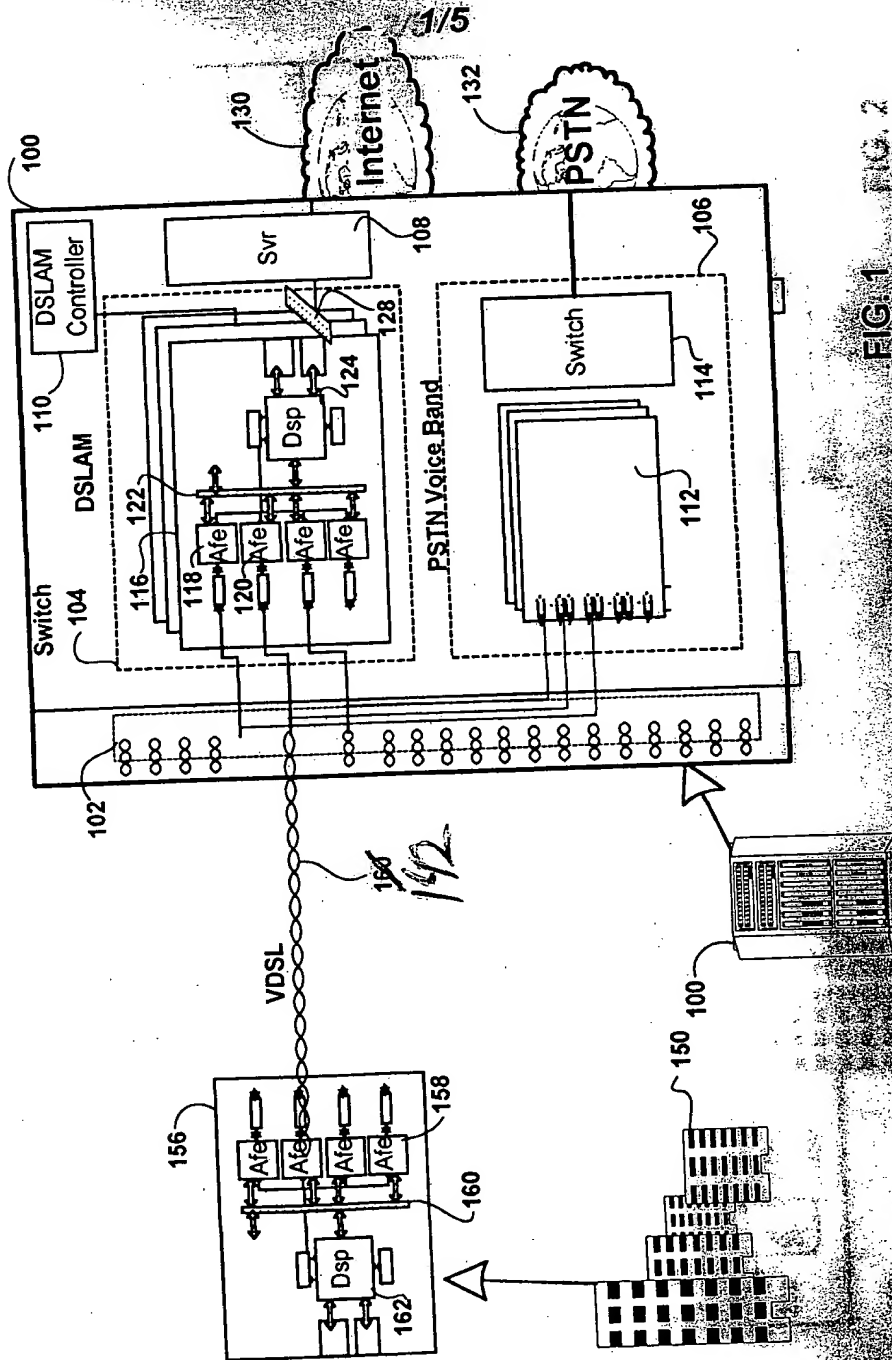
The attached sheet of drawings includes changes to FIGS. 1 and FIG. 2. The sheets which include FIG. 1 and FIG. 2, replaces the original sheets including FIGS. 1 and 2.

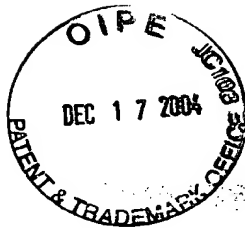
Attachment: Replacement Sheets (2)

 Annotated Sheets Showing Changes (2)



Appl No. 09,779,790
Amdt. Dated Dec. 17, 2004
Reply to Office Action of June 17, 2004
Annotated Sheet Showing Changes





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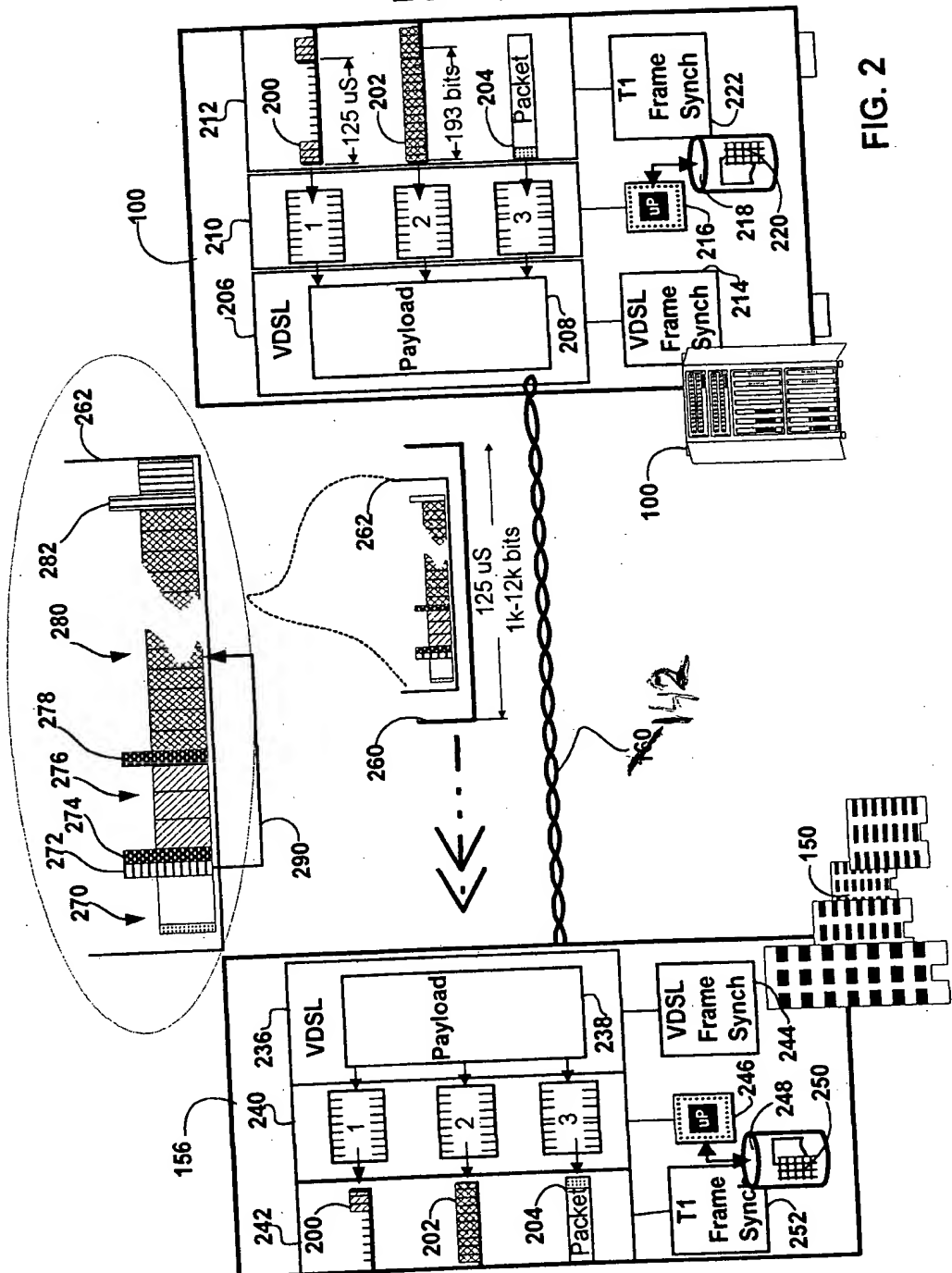


FIG. 2